

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH BENEFITS FUND, PIRELLI ARMSTRONG RETIREE MEDICAL BENEFITS TRUST; TEAMSTERS HEALTH & WELFARE FUND OF PHILADELPHIA AND VICINITY; PHILADELPHIA FEDERATION OF TEACHERS HEALTH AND WELFARE FUND; DISTRICT COUNCIL 37, AFSCME - HEALTH & SECURITY PLAN; JUNE SWAN; MAUREEN COWIE and BERNARD GORTER,

C.A. No. 1:05-CV-11148-PBS

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri corporation; and McKESSON CORPORATION, a Delaware corporation,

Defendants.

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE  
MEMORANDUM IN EXCESS OF TWENTY PAGES**

Plaintiffs hereby move this Court for leave to file a Reply Memorandum in Support of Plaintiffs' Motion for Class Certification in excess of twenty (20) pages.

In support therefore, the moving parties state as follows:

1. Local Rule 7.1(b)(4) provides that "Memorand[a] supporting or opposing allowance of motions shall not, without leave of Court, exceed twenty (20) pages." In addition to their 20-page opposition brief, Defendants filed a 17-page proffer of evidence with 45 paragraphs and 57 exhibits and a 78-page expert report of Dr. Willig with 125 paragraphs. Plaintiffs cannot respond to Defendants briefing fully without additional

pages. Plaintiffs believe that their Reply Memorandum will be approximately twenty-five (25) pages in length.

2. Plaintiffs have conferred with Defendants and they do not object to an additional five pages, provided that Defendants are given the same additional five pages on surreply.

WHEREFORE, Plaintiffs respectfully request that this Court grant Plaintiffs leave to file a Reply Memorandum in Support of Plaintiffs' Motion for Class Certification in excess of twenty (20) pages.

DATED: March 19, 2007

By /s/ Steve W. Berman

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**CERTIFICATE OF SERVICE**

I, Steve W. Berman, hereby certify that a true and correct copy of the above document was served on the attorney of record for each party via the Court's electronic filing system this 19th day of March, 2007.

By /s/ Steve W. Berman

Steve W. Berman

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**[PROPOSED] ORDER**

THIS MATTER is before the Court on plaintiffs' unopposed motion for leave to file reply memorandum in excess of twenty (20) pages supporting plaintiffs' motion for class certification. The Court, having considered all pleadings in support and in opposition thereto, and being fully advised in the premises, hereby

GRANTS plaintiffs' reply memorandum in support of class certification of approximately twenty-five (25) pages in length.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

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Hon. Patti B. Saris  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I, Steve W. Berman, hereby certify that a true and correct copy of the above document was served on the attorney of record for each party via the Court's electronic filing system this 19th day of March, 2007.

By /s/ Steve W. Berman  
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